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# Accessory Dwelling Units: Detached

This handout summarizes the accessory dwelling unit (ADU) regulations for residential properties in the city of Milwaukie. Please refer to Milwaukie Municipal Code (MMC) Subsection 19.910.1. ADUs are allowed in all residential zones. ADUs must follow all of the zoning requirements of the residential zone they are located in, as well as the additional requirements in MMC 19.910.1.

## Definition of Accessory Dwelling Unit

1. An "accessory dwelling unit" is an additional dwelling unit on a lot with a single-unit detached dwelling. An ADU is incidental to, and smaller than, the main dwelling unit. An ADU can either be attached to the main structure or in a detached structure.
2. The City has different regulations based on whether the ADU is attached or not.
3. An ADU includes areas and equipment for sleeping, cooking, and sanitation (bathrooms and toilets). A structure without these areas and equipment is an "accessory structure," not an ADU, and is subject to the provisions of MMC Section 19.502 Accessory Structures.

## Standards for All ADUs

1. The primary use on the property must be a single-unit detached house.
2. Two ADUs are allowed per lot. If there are two ADUs on the site, only one may be attached to or within the primary structure.
3. An ADU is limited to the lesser of 800 sq ft in floor area.

## Review and Approval of Detached ADUs

Footprint, Height, and Required Yards for Detached Accessory Dwelling Units	
Standard	ADU
Maximum Structure Footprint	800 sq ft
Maximum Structure Height	25 ft, limited to 2 stories
Required Side and Rear Yard	5 ft
Required Front Yard	Base zone requirement for front yard
Required Street Side Yard	Base zone requirement for street side yard

## Development Standards for Detached ADUs

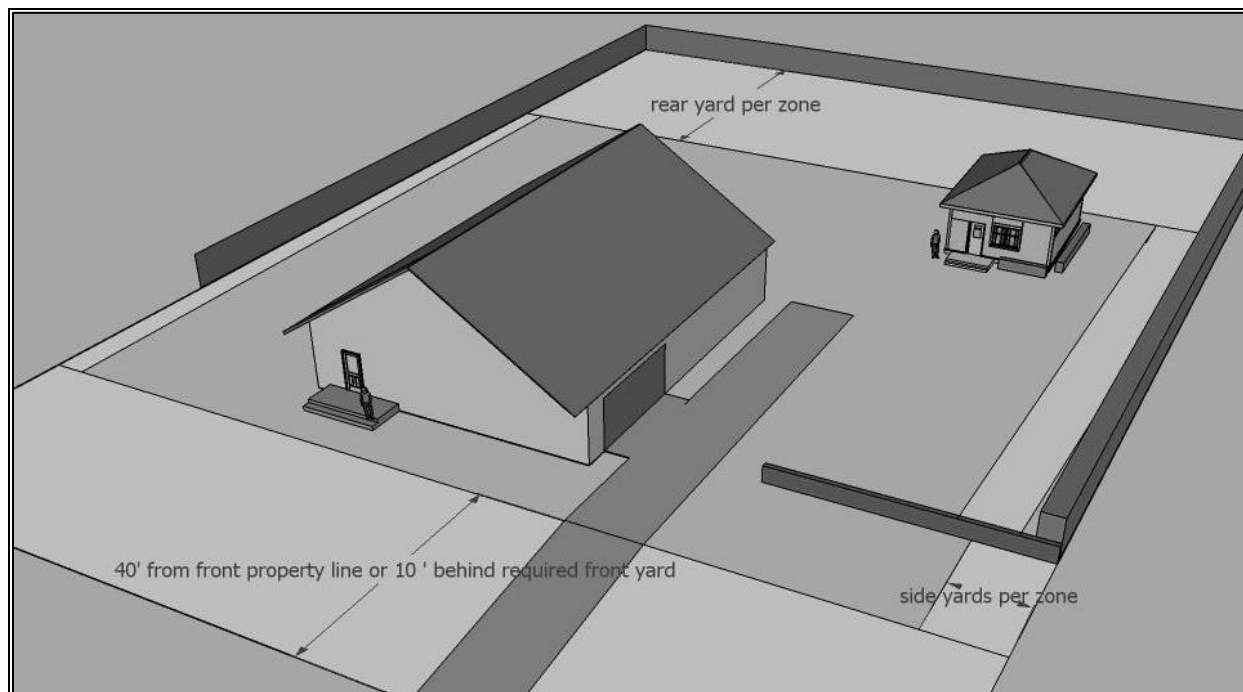
ADUs that are detached (a separate structure) from the primary residence must meet the development standards outlined in Table 1, below.

**TABLE 1. DEVELOPMENT STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS**

Requirement	Allowed by Code	Subject Property Requirements	Proposed	Comments Staff Use Only
Maximum Lot Coverage <sup>1</sup>	Same as base zone			
Minimum Landscaped Area <sup>1</sup>				
Setbacks: Front Property Line	Same as base zone			
Setbacks: Street Side Property Line	Same as base zone			
Setbacks: Rear and Side Property Lines	5 ft min.			
Maximum Allowed Floor Area	800 sq ft			
Building Height of detached ADU <sup>2</sup>	25 ft 2-story max.			

1. See Zoning Worksheets for requirements.

2. See page 4 of this handout for how to measure building height.



## Required Design Elements for Detached ADUs

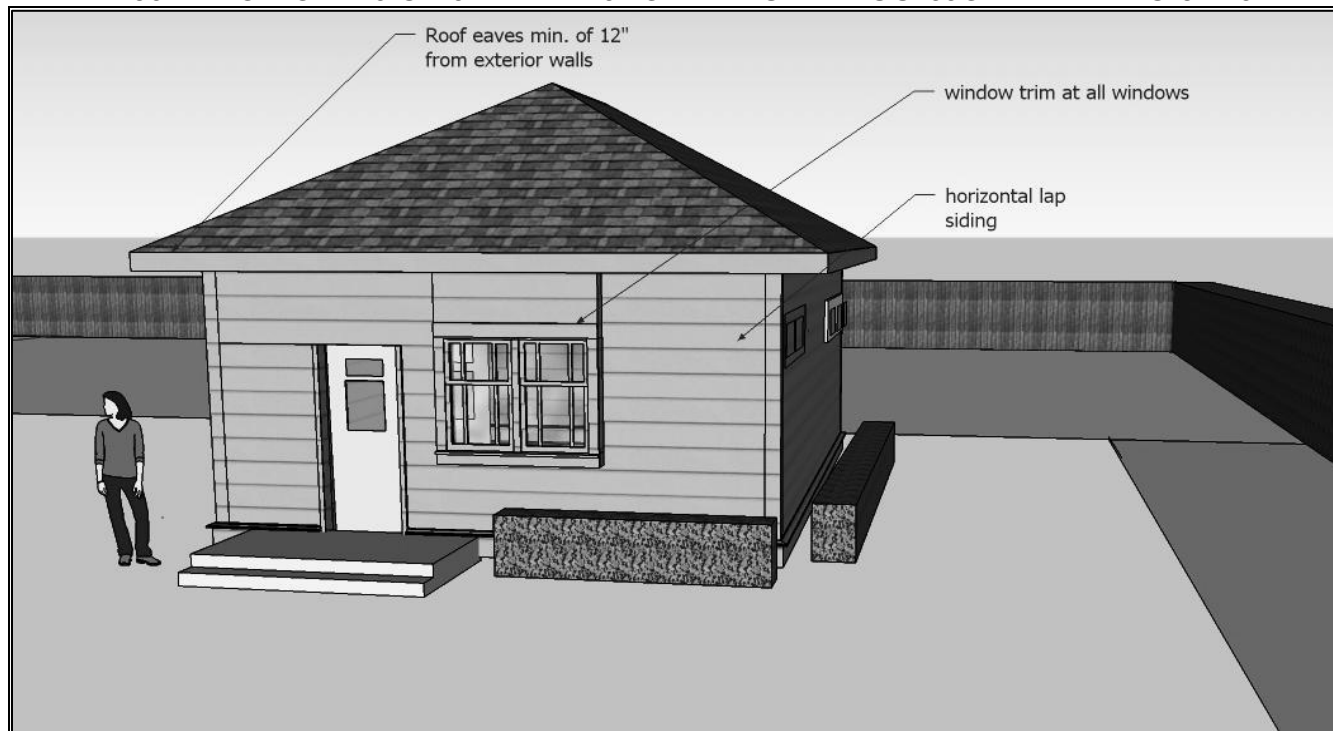
Detached ADUs must include at least 2 of the design details from Table 2, below.

**TABLE 2. DESIGN STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS**

Requirement	Required by Code	Existing	Proposed	Comments Staff Use Only
Minimum roof pitch if floor-to-ceiling height is 9 ft or more <sup>1</sup>	4" rise for every 12" of run (4/12 pitch)			
Privacy standard (for walls within 20 ft of adjacent residential property line)	All windows placed on upper 1/3 of wall, OR 6 ft visual screening			
All detached ADUs shall include at least 2 of the following (check at least 2):				
Covered porch	5 ft min. depth			
Recessed entry	2 ft min. from exterior wall to door			
Roof eaves	12" min. projection			
Horizontal lap siding	Siding between 3-7" wide			
Window trim at all windows	3" wide and 5/8" deep			

1. A minimum 4/12 roof pitch is required for an accessory structure greater than 10 ft and for ADUs with a floor-to-ceiling height greater than 9 ft.

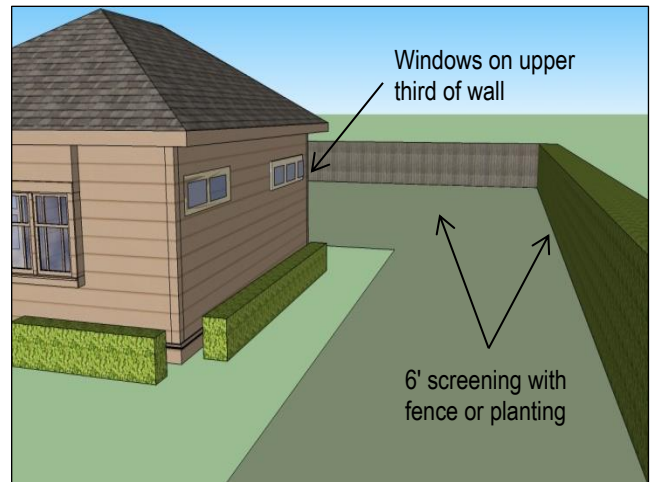
**ILLUSTRATION OF DESIGN STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS**



### Privacy Standards for Detached ADUs

If a detached ADU has a wall within 20 ft of a side or rear lot line of an adjacent residential property and is a 45-degree angle or less to the property line, at least one of the following privacy standards are required:

1. All windows on the wall shall be placed in the upper third of the distance between floor and ceiling.
2. Opaque visual screening with a minimum height of 6 ft is required along the property line next to the wall of the ADU. Screening may consist of a fence, wall, or evergreen shrubs. If newly planted shrubs are used, they must be at least 5 ft above grade at time of planting, and they must reach 6 ft high within one year. Existing features of the site may be used to meet this requirement.



### Converting an Existing Accessory Structure into a Detached ADU

An existing structure can be converted to a detached ADU subject to the following standards.

1. If the existing accessory structure was legally established on or after June 3, 2022, the effective date of Ordinance #2216, it must meet all applicable standards for a new detached ADU.
2. If the existing accessory structure was legally established prior to June 3, 2022, the effective date of Ordinance #2216, it must meet all applicable standards for a new detached ADU, except for the design standards listed in Table 2 above, the maximum structure footprint, and minimum setbacks. However, the floor area of the ADU must not exceed the maximum floor area standard in Table 1 above. The conversion must not bring the accessory structure out of conformance, or further out of conformance, with any of the design standards listed in Table 2.

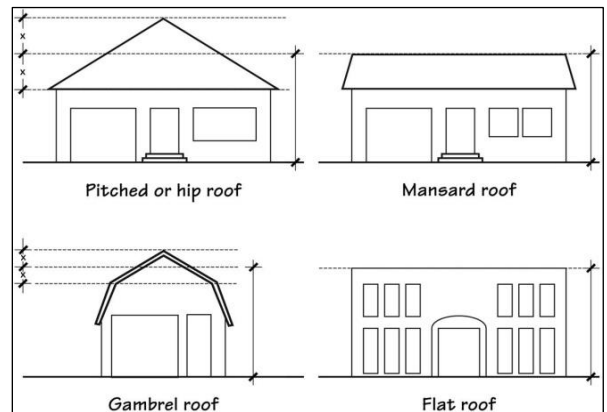
### Other Requirements

A new dwelling unit within the city must also meet all applicable building codes and engineering requirements, which may include system development charges (SDCs) and street frontage improvements. Please be sure to contact these departments for applicable requirements: the Building Division can be contacted at 503-786-7623 or [building@milwaukieoregon.gov](mailto:building@milwaukieoregon.gov), and the Engineering Department can be contacted at 503-786-7609 or [engineering@milwaukieoregon.gov](mailto:engineering@milwaukieoregon.gov).

### How to Measure Building Height

The top of building shall be determined based on the specific roof types listed below.

1. Flat roof: Measure to the top of the parapet or, if there is no parapet, to the highest point of the roof. If a roof includes multiple flat roofs at different elevations, measure to the top of the highest parapet or highest point of the highest roof.
2. Mansard roof: Measure to the deck line.
3. Pitched, hipped, or gambrel roof where roof pitch is 12/12 or less: Measure to the average height of the highest gable.
4. Pitched or hipped roof with a pitch steeper than 12/12: Measure to the highest point.
5. Gambrel roof where both pitches are steeper than 12/12: Measure to the highest point.



6. Other roof shape, such as domed, vaulted, or pyramidal: Measure to the highest point.
7. Stepped or terraced building: Measure to the highest point of any segment of the building.